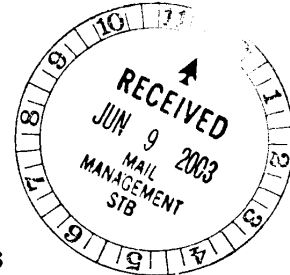


207998

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ORIGINAL



June 3, 2003

VIA MAIL AND FAX (202) 565-9004

Hon. Vernon A. Williams
Secretary
Surface Transportation Board
1925 K Street, NW (7th fl.)
Washington, DC 20423-0001

Dear Secretary Williams:

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Office of Proceedings
JUN - 9 2003
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Public Record

→ 207998

This refers to STB Docket No. AB-838, East St. Louis Junction Railroad Company-Adverse Abandonment-In St. Clair County, IL, and STB Docket No. AB-33 (Sub-No. 207), -Union Pacific Railroad Company-Adverse Discontinuance-In St. Clair County, IL, and to the Petition for Waiver and Exemption of Illinois Department of Transportation ("IDOT"), filed February 14, 2003. 208001

Following the receipt of a facsimile transmitted letter from Victoria Rutson, Esq., Chief, Section of Environmental Analysis, dated March 18, 2003, and a meeting with her and Mr. Dave Navecky of her staff the following day, the undersigned, on behalf of IDOT, agreed that an Environmental Report, including Historic Report, needed to be a part of the Adverse Abandonment Application. Letters to the designated agencies on the Environmental Contact List were sent on March 19, 2003, with copies to Ms. Rutson. To date only a response from the U.S. Army Corps of Engineers has been received, but the undersigned has held off placing follow-up telephone calls awaiting the Board's Decision on the Petition for Waiver and Exemption.

On behalf of the IDOT, the undersigned wishes to make explicit that the requests for waivers and exemptions relating to the preparation of an Environmental Report, including a Historic Report, are being withdrawn.

IDOT continues to believe that the form of notice, 49 C.F.R. 1152.21, is inappropriate and asks that it be allowed to use the form of notice as set for in Attachment A of it Petition for Waivers and Exemption, except that IDOT will add the last paragraph of 49 C.F.R. 1152.21,

Hon. Vernon A. Williams
June 3, 2003
Page Two

relating to the staff's environmental review.

IDOT no longer seeks the waiver of 49 C.F.R. 1152.22(f), the discussion in the Application of the environmental impact of the proposed discontinuance and abandonment.

IDOT continues to believe that the form of Federal Register notice, 49 C.F.R. 1152.22(i), is inappropriate and asks that it be allowed to use the form of Federal Register notice as set forth in Attachment B of its Petition for Waivers and Exemption, except that IDOT will add the last paragraph of 49 C.F.R. 1152.22(i), relating to the staff's environmental review.

As already noted, IDOT will prepare an Environmental Report, including Historic Report, pursuant to 49 C.F.R. 1105.1, et seq., and, therefore, IDOT withdraws its request, at page 6-7 of its Petition for Waiver and Exemption that such a report be waived. The Environmental Report, including Historic Report, will be served twenty days in advance of filing of the Application, as contemplated by 49 C.F.R. 1105.11.

Ten copies of this letter are enclosed to permit your circulation of it. An additional copy is enclosed for you to stamp to acknowledge your receipt of it and to return to me via the enclosed stamped and self-addressed envelope.

If you have any question concerning the foregoing which you believe I may be able to answer or if I otherwise can be of assistance, please let me know.

Sincerely yours,

Fritz R. Kahn

cc: Joseph H. Dettmar, Esq.
Victoria Rutson, Esq.
Mr. Earl Lazerson
Mack H. Shumate, Esq.